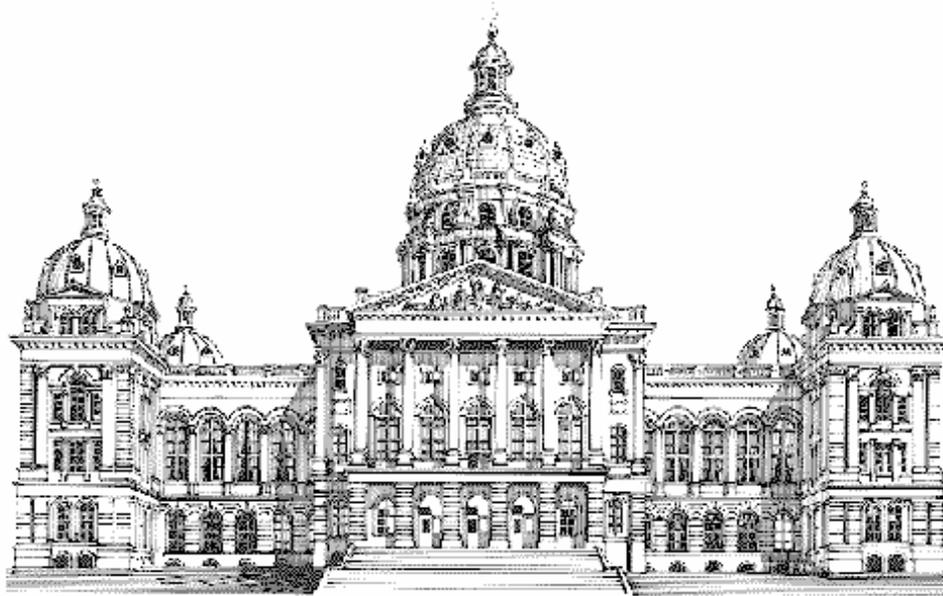


**JUSTICE SYSTEM
APPROPRIATIONS SUBCOMMITTEE
DETAIL DOCUMENT OF THE FY 2006
GOVERNOR'S RECOMMENDATIONS**



**FISCAL SERVICES DIVISION
LEGISLATIVE SERVICES AGENCY
FEBRUARY 2005**

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JUSTICE SYSTEM SUBCOMMITTEE MEMBERS

SENATE

Larry McKibben, Co-Chairperson
Eugene Fraise, Co-Chairperson
David Miller
Keith Kreiman
Tom Hancock
Charles Larson, Jr.

HOUSE

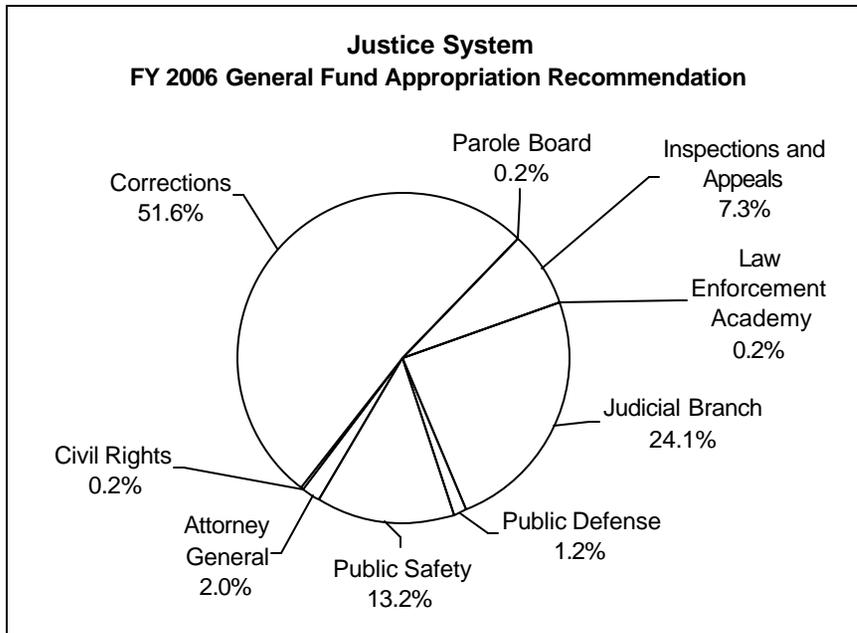
Lance Horbach, Chairperson
David Tjepkes, Vice Chairperson
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O. Gene Maddox
Rick Olson
Kurt Swaim
Jim Van Fossen
Ray Zirkelbach

LEGISLATIVE SERVICES AGENCY

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JUSTICE SYSTEM APPROPRIATION SUBCOMMITTEE

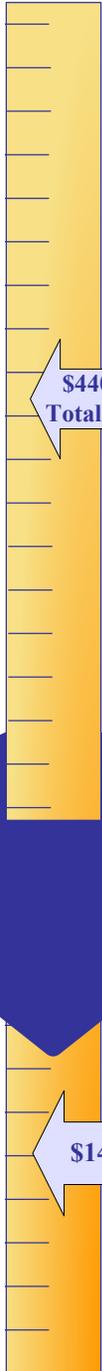


**Justice System
FY 2006 General Fund Recommendation**

Attorney General	\$ 10,664,722
Civil Rights	\$ 950,788
Corrections	\$ 279,445,145
Inspections and Appeals	\$ 39,608,046
Judicial Branch	\$ 130,714,285
Law Enforcement Academy	\$ 1,075,138
Parole Board	\$ 1,106,044
Public Defense	\$ 6,302,270
Public Safety	\$ 71,621,327
	\$ 541,487,765

IMPROVE COMMUNITY SAFETY, PARTICULARLY FOR VULNERABLE IOWANS – PURCHASING PRIORITIES

**HIGHER
PRIORITIES**



**\$440,434,734
Total Resources**

\$14,839,804

Funded Priorities		Unfunded Priorities	
		Dept.	Subcomm.
\$302,713,069	Protecting People – Changing Lives: Redesign corrections system to increase public safety. Provides substance abuse treatment and educational services to adjudicated adults and children.	DOC Parole Bd Hum Serv.	Justice Justice Hum Serv.
\$11,044,027	Health and Safety for Children and Adults: Decrease domestic violence abuse. Decrease the number of meth labs by 50%.	DHR DIA ODCP Regents DEA DHS	Adm/Reg. Adm/Reg. Adm/Reg. Education Hum Serv. Hum Serv.
\$6,723,908	Homeland Security: Training and operations for disaster relief while assisting local authorities. Response and recovery plans, for any state emergency 24 hours a day, 365 days a year	DPD	Justice
\$13,482,857	Critical Information: Strengthen emergency response and law enforcement through reliable data and communication.	DHR DPS	Adm/Reg. Justice
\$57,579,198	Safe and Stable Communities: Assist local crime investigations, law enforcement, highway patrol and rescue, traffic safety, fire fighter training and arson investigation.	DPS ILEA ODCP DIA	Justice Justice Adm/Reg. Adm/Reg.
\$41,777,628	Access to Courts: Legal representation to eligible clients in criminal, juvenile and appellate courts and employees' and employers' rights and duties cases are interpreted timely and fairly.	DIA	Justice Adm/Reg.
\$7,013,592	Balanced and Fair Regulation: Iowans expectation for safe and fair gambling facilities, regulation of alcohol licenses and social and charitable gaming permits.	Commerce DIA DPS	Adm/Reg. Adm/Reg. Justice
\$100,455	Cultural Competence: Train state agencies to improve effectiveness for Latino services.	DHR	Adm/Reg.
\$13,283,954	Public Safety Increases: Additional narcotics agents investigating highway and non-highway drug interdictions, additional DCI agents investigating crimes, additional fire investigators to relieve back log of arson cases and fire safety training equipment.	DPS	Justice
\$895,850	Rapid Lab Results: Courier service for submission of specimens to University Hygienic Lab 24/7.	DPS Regents DPH DPD DNR	Justice Education Hum Serv. Justice Ag. & NR
\$100,000	Airbase Improvements: Facility upgrades for Des Moines and Sioux City airbases.	DPD	Justice
\$50,000	Crisis Counseling: Critical Incident Stress Debriefing for disaster response.	DHS	Hum Serv.
\$510,000	Cultural Affairs: Improves community safety by using the arts, history and culture to build social capital.	DCA DPH DHR DEA	Education Hum Serv. Adm/Reg. Hum Serv.

Graphic and funding table created by the Department of Management (DOM). The LSA has reviewed draft funding documents provided by DOM and added the two columns on the right in an effort to show how the offers affect the departments and legislative appropriations subcommittees. (Funded priorities include all funding sources, not just General Fund.)

Purchasing Priorities

IMPROVE COMMUNITY SAFETY, PARTICULARLY FOR VULNERABLE IOWANS

The Improve Community Safety, Particularly for Vulnerable Iowans platform is comprised of three main strategies to create safe communities: prevention, response and recovery, and preparedness. The budget proposals made by the Safe Communities Buying Team will make communities safer, offer safer living choices for children and older Iowans, and reduce future costs to society of crime and substance abuse

Funded Priorities by Appropriations Subcommittee

	<u>General Fund</u>	<u>Other Fund</u>	<u>Total</u>
Administration/Regulation			
Department of Commerce	\$ 1,883,441	\$ 0	\$ 1,883,441
Gov. Office of Drug Control Policy	313,195	0	313,195
Department of Human Rights	1,385,311	0	1,385,311
Department of Inspections and Appeals	46,470,583	2,224,042	48,694,625
Total	<u>\$ 50,052,530</u>	<u>\$ 2,224,042</u>	<u>\$ 52,276,572</u>
Education			
University of Iowa	<u>\$ 3,849,461</u>	<u>\$ 0</u>	<u>\$ 3,849,461</u>
Health and Human Services			
Department of Elder Affairs	\$ 9,493	\$ 352,885	\$ 362,378
Department of Human Services	21,411,107	0	21,411,107
Total	<u>\$ 21,420,600</u>	<u>\$ 352,885</u>	<u>\$ 21,773,485</u>
Justice System			
Department of Corrections	\$ 279,511,515	\$ 1,797,285	\$ 281,308,800
Iowa Law Enforcement Academy	1,075,138	0	1,075,138
Board of Parole	1,106,044	0	1,106,044
Department of Public Defense	6,723,908	0	6,723,908
Department of Public Safety	71,621,327	700,000	72,321,327
Total	<u>\$ 360,037,932</u>	<u>\$ 2,497,285</u>	<u>\$ 362,535,217</u>
Grand Total	<u>\$ 435,360,523</u>	<u>\$ 5,074,212</u>	<u>\$ 440,434,735</u>

Improve Community Safety, Particularly for Vulnerable Iowans

Rank	Department	GF	Other	Total	Background Information
Priority 1	Protecting People/Changing Lives				
1.15	Department of Corrections (DOC)	\$ 279,511,515	\$ 1,797,285	\$ 281,308,800	Entire General Fund budget of the DOC. Uses the Iowa corrections continuum to cost-effectively manage the risk of offenders at the lowest level required to ensure public safety. Range of supervision includes various levels of monitoring at street supervision including electronic monitoring, residential facilities, and prisons at the highest level of the continuum. Increase of \$7,483,636 for additional staff, increased utility and pharmacy costs, and mental health issues. Healthy Iowans Tobacco Trust (HITT) recommendation does not include Newton Values-Based Treatment Program.
1.5	Department of Human Services (DHS)	16,080,617	0	16,080,617	Funds all services at State Training Schools (Eldora and Toledo). Increase of \$318,000 for substance abuse counseling at both schools. Includes \$48,642 for General Administration.
1.65	Parole Board	1,106,044	0	1,106,044	Entire General Fund budget of the Board. Increase of \$33,484 for a part-time Administrative Law Judge and a part-time clerk to address workload issues of the Board.
1.86	DHS	4,217,608	0	4,217,608	Entire General Fund budget of the Civil Commitment Unit for Sex Offenders (CCUSO). Increase of \$1,360,283 that includes \$650,000 to continue and annualize the FY 2005 supplemental appropriation recommendation, plus \$710,000 for increased costs due to additional clients. Also includes \$10,987 for General Administration.
Priority 1	Total	\$ 300,915,784	\$ 1,797,285	\$ 302,713,069	

Improve Community Safety, Particularly for Vulnerable Iowans

Rank	Department	GF	Other	Total	Background Information
Priority 2	Health and Safety for Children and Adults				
1.19	Department of Human Rights (DHR)	\$ 24,000	\$ 0	\$ 24,000	Iowa Commission on the Status of Women - training for violence against women - an additional 83 training sessions.
1.40	Department of Inspections and Appeals (DIA)	2,776,021		2,776,021	Entire General Fund budget of Health Facilities and Administration Division. Includes \$499,184 for the Administrative Division. Funding level is current law. Additional funding (not shown) comes from Medicaid/Medicare and other federal funds. Additional FTE positions funded by increased federal funds. The Division provides inspection, licensing, and complaint investigations of nursing homes, places serving children, and health providers.
1.60	Office of Drug Control Policy (ODCP)	50,000		50,000	An increase to bridge funding gap between the end of one federal funding stream and the start of another. The grant is Intervening to protect Iowa's Drug Endangered Children.
1.80	Regents	3,849,461		3,849,461	Entire General Fund budget of University Hygienic Lab. Prevents illness, saves lives, and reduces growth rate in health care claims and costs. Funding level is current law.
1.85	Department of Elder	9,493	352,885	362,378	Senior Living Trust Fund. Maintains four existing projects in 19 counties. Funding level is current law.
1.85	DHS	984,926		984,926	Field Operations. Dependent Adult Abuse and Protective Services. Funding level is current law.
		127,955		127,955	General Admin. associated with Field Operations. Funding level is current law.
1.95	DIA		800,000	800,000	Senior Living Trust Fund. Transfer Dependent Adult Abuse Investigations from DHS to DIA. Assisted living for adults. Funding level is current law.

Improve Community Safety, Particularly for Vulnerable Iowans

Rank	Department	GF	Other	Total	Background Information
2.21	DIA	1,962,059		1,962,059	Child Advocacy Board (combined Foster Care Review Board and Court Appointed Special Advocate (CASA) Program). Funding level is current law.
1.85	ODCP	107,227		107,227	Coordinate drug control efforts to reduce substance abuse in Iowa. Funding level is current law.
Priority 2	Total	\$ 9,891,142	\$ 1,152,885	\$ 11,044,027	

Improve Community Safety, Particularly for Vulnerable Iowans

Rank	Department	GF	Other	Total	Background Information
Priority 3	Homeland Security				
1.25	Department of Public Defense (DPD) - Military Division	\$ 1,530,576	\$ 0	\$ 1,530,576	Iowa National Guard (ING). Federal disaster relief and State emergency operations. Funding level is current law. State funds represent 13.0% of the total cost.
1.30	DPD - Homeland Security and Emergency Management Division (HLSEM)	351,706		351,706	Readiness Program operates around the clock every day of the year. Serves as the State's public service warning/answering point and the initial contact point and liaison for emergency state assistance to local jurisdictions. E-911 centers, private industry, state agencies, and other organizations rely on the Readiness Program for any and all natural or man-made disasters. Funding level is current law. State funds represent approximately 50.0% of the total cost.
1.40	HLSEM	303,005		303,005	Mitigation, response, recovery. Development and coordination of state emergency response and recovery plans, and responsible for all hazards analysis, including terrorism. Funding level is current law. State funds represent approximately 50.0% of the total cost.
1.55	HLSEM	187,177		187,177	Disaster recovery. Focal point for recovery activities following a major disaster, coordinating all disaster recovery programs. Interacts with Federal Emergency Management Administration (FEMA). Funding level is current law. State funds represent approximately 50.0% of the total cost.
1.60	DPD - Military Division	328,315	0	328,315	ING Planning and Training. Planned and coordinated direction and utilization of funding, personnel, and equipment to support the operations of the ING. Funding level is current law. State funds represent 12.0% of the total cost.

Improve Community Safety, Particularly for Vulnerable Iowans

Rank	Department	GF	Other	Total	Background Information
1.60	DPD - Military Division	421,639		421,639	Standing Active Duty appropriation. Funding level is current law.
1.65	DPD - Military Division	3,271,148		3,271,148	Comprehensive coordinated plan for the stationing, design, funding, construction, maintenance, and security of ING readiness centers and facilities. Improving and maintaining ING support infrastructure. Funding level is current law. State funds represent 15.0% of the total cost.
1.65	HLSEM	106,099	0	106,099	Responders and county coordinator training to local governments, state agencies, and volunteers critical for the preparedness of, response to, and recovery from local and statewide emergencies and disasters. Funding level is current law. State funds represent approximately 50.0% of total cost.
1.70	HLSEM	152,892		152,892	Hazard Mitigation. Encourages communities to enhance their disaster resistance through the development of hazard mitigation plans, structural and non-structural mitigation projects, and the development of public-private partnerships to strengthen commitment to hazard mitigation. Funding level is current law.
1.75	HLSEM	71,351		71,351	Exercise support - training to local governments, state agencies, volunteer organizations, and in certain situations, private entities. Exercises test the response, recovery, preparedness, and mitigation phases of emergency management, and have the ultimate goals of saving lives, minimizing property damage, and reducing the impact of hazards on the environment and the economy of the State. Funding level is current law. State funds represent approximately 50.0% of total costs.
Priority 3	Total	\$ 6,723,908	\$ 0	\$ 6,723,908	

Improve Community Safety, Particularly for Vulnerable Iowans

Rank	Department	GF	Other	Total	Background Information
Priority 4	Critical Information				
1.25	DHR	\$ 420,079	\$ 0	\$ 420,079	Criminal and Juvenile Justice Planning Division (CJJPD) Decision Support Services. CJJPD is \$333,397; Administration is \$86,682. Core activity for CJJPD - fulfills the need for an independent research, evaluation, and statistical analysis center for the justice system.
1.25	DHR	86,230		86,230	Helping communities improve juvenile justice outcomes. CJJPD is \$70,377. Administration is \$15,853. Leverage \$630,000 in federal funds. Prevention-oriented programs serve kids at risk, substance abuse education and treatment, and juvenile offenders.
1.35	Department of Public Safety (DPS)	1,481,106		1,481,106	Administration. Supports Technology Bureau and Program Services Bureau. Technology Bureau coordinates DPS law enforcement, statewide police agencies, and criminal justice practitioners which includes: IOWA system - law enforcement data and telecommunications infrastructure. Users include DPS, certified law enforcement officers and dispatchers, and nationwide law enforcement. Program Services Bureau collects statewide crime information, including the Uniform Crime Report (UCR).
1.50	DPS	9,832,368	550,000	10,382,368	Administration is \$287,460. Division of Criminal Investigation (DCI) is \$9,544,908. Other Funds of \$550,000 for Automated Fingerprint Identification System (AFIS) lease purchase. Provides basic operations of the Crime Lab, Sex Offender Registry (SOR), criminal investigations, Records and Identification Section, Missing Persons Information Clearinghouse, and AFIS. Includes new funding of \$250,000 for Crime Lab supplies and \$550,000 from Other Funds for the AFIS lease purchase.

Improve Community Safety, Particularly for Vulnerable Iowans

Rank	Department	GF	Other	Total	Background Information
1.63	DHR	679,547	0	679,547	Criminal Justice Information System (CJIS) and Justice Data Warehouse (JDW). Department of Administrative Services (DAS) supports moving CJIS to CJJPD. Funded through Pooled Technology Account in FY 2005. Currently, cost savings run approximately \$500,000 per year for this service.
1.75	DPS	358,527		358,527	Intelligence Bureau. Funding includes \$15,894 for Administration, \$342,633 for Division of Narcotics Enforcement (DNE).
1.88	DHR	75,000		75,000	CJJPD - Replace federal funds that are being cut. Supports evidence-based practices and results for Justice System. Increase of \$75,000 from the General Fund.
Priority 4	Total	\$ 12,932,857	\$ 550,000	\$ 13,482,857	

Improve Community Safety, Particularly for Vulnerable Iowans

Rank	Department	GF	Other	Total	Background Information
Priority 5	Stable Communities				
1.40	DPS	\$ 3,898,595	\$ 0	\$ 3,898,595	Includes \$187,796 for Administration, \$123,343 for Undercover Funds (funding level at current law), and \$3,587,456 for DNE. Enforcement of controlled substance laws and clandestine methamphetamine lab response, training and investigative assistance to local governments, and undercover funds.
1.45	DPS	44,756,044		44,756,044	Includes \$1,447,732 for Administration, \$42,992,133 for Iowa State Patrol, and \$316,179 for DPS/SPOC Sick Leave Payout (funding level at current law). Provides continued operation of the Iowa State Patrol and the Governor's Traffic Safety Bureau. Increase of \$400,000 for depreciation funds for 20 new vehicles, and \$75,000 for racial profiling training for public safety peace officers.
1.60	DPS	2,282,043		2,282,043	Includes \$100,045 for Administration and \$2,181,998 for State Fire Marshal (funding level at current law). Includes funds for the Fire Inspections Bureau, Building Code Bureau, and Arson Investigation Bureau.
1.60	ODCP	155,968		155,968	Leverage federal funds for a safer Iowa. Funding level at current law.
1.75	DPS	638,021	150,000	788,021	Fire Service Training Bureau. Funding level at current law.
1.95	DPS	559,587	0	559,587	Volunteer Fire Fighter Training Equipment Fund. Offsets costs for volunteer fire fighters. Funding level at current law.
1.95	DPS	943,598		943,598	Increase for DCI Crime Lab staff - enhanced case productivity. Includes 4.00 staff, equipment depreciation and training.

Improve Community Safety, Particularly for Vulnerable Iowans

Rank	Department	GF	Other	Total	Background Information
1.95	DPS	771,052		771,052	Increase for DNE for State Fusion Center to fuse traditional criminal intelligence gathering with the broader intelligence needs to serve homeland security efforts. Currently operates with federal funds until October 1, 2005. This offer supports nine months of funding.
1.95	DPS	140,000		140,000	Increase for Fire Fighter Training Fund to help defray the costs of new training standards.
2.00	Iowa Law Enforcement Academy (ILEA)	1,075,138		1,075,138	Entire General Fund budget of ILEA. Funding level at current law.
2.22	DPS	909,840		909,840	An increase for 10.00 new trooper positions for the Iowa State Patrol. Increases the number of counties served by 24/7 coverage by troopers. Enhances ability to assist other agencies, reduces response time to crash scenes and other calls by reducing the area of coverage per officer.
2.20	DIA	1,299,312		1,299,312	Includes \$77,809 for Administration and \$1,221,503 for Investigations. Investigation and collection services to collect overpayments of public assistance moneys due to fraud, agency error, or inadvertent error. Approximately \$3.1 million was returned to the State and \$2.7 million was cost avoidance due to front-end investigations.
Priority 5	Total	\$ 57,429,198	\$ 150,000	\$ 57,579,198	

Improve Community Safety, Particularly for Vulnerable Iowans

Rank	Department	GF	Other	Total	Background Information
Priority 6	Access to Courts				
1.55	DIA	\$ 39,608,046	\$ 0	\$ 39,608,046	Entire General Fund budget of State Public Defender/Indigent Defense. Increase of \$3,391,900 due to projected increases in cases and claims. Maintains current FTE positions.
1.55	DIA	53,617		53,617	DIA administrative support for State Public Defender's Office and Indigent Defense. Funding level is current law.
1.95	DIA	77,809		77,809	DIA Administrative Division for administrative due process. Provides citizens with due process for adverse actions taken against them by State agencies. Funding level is current law. Approximately 54.0% of the hearings relate to OWI and 18.0% relate to child and adult abuse.
1.95	DIA	614,114		614,114	DIA Administrative Hearings Division. Funding level is current law.
1.95	DIA	0	1,424,042	1,424,042	DIA Administrative Hearings Division - Use Tax. Funding level is current law.
Priority 6	Total	\$ 40,353,586	\$ 1,424,042	\$ 41,777,628	

Improve Community Safety, Particularly for Vulnerable Iowans

Rank	Department	GF	Other	Total	Background Information
Priority 7 Balanced and Fair Regulation					
1.86	DPS	\$ 5,050,546	\$ 0	\$ 5,050,546	DCI. Assuring integrity in the gaming industry. Existing gaming staff plus increase of \$286,944 and 3.00 FTE positions for special agents for new table games enforcement at the three race track sites in Iowa.
2.06	Commerce	1,883,441		1,883,441	Alcoholic Beverages Division. Funding level is current law. Ensures that only qualified individuals are licensed to sell and dispense alcohol beverages to Iowans, helps reduce sale of alcohol to minors, and helps ensure that patrons are not over-served alcohol beverages.
2.22	DIA	79,605		79,605	Administration Division. Social and charitable gambling regulation. Ensures that bingo, raffles, and social gambling held at the community level are played fairly, all participants have an equal chance to win, and at least 75.0% of the proceeds are used for charitable purposes. Funding level is current law.
Priority 7	Total	\$ 7,013,592	\$ 0	\$ 7,013,592	
Priority 8 Cultural Competence					
2.23	DHR	\$ 100,455	\$ 0	\$ 100,455	Includes \$17,096 for Administrative Division and \$83,359 for Latino Affairs Division. Funding level is current law. Provide a one-stop training center and coordination vehicle for government agencies attempting to serve and/or engage Latino communities in Iowa.
Priority 8	Total	\$ 100,455	\$ 0	\$ 100,455	
Total Funding		<u>\$ 435,360,522</u>	<u>\$ 5,074,212</u>	<u>\$ 440,434,734</u>	

Improve Community Safety, Particularly for Vulnerable Iowans

Rank	Department	GF	Other	Total	Background Information
UNFUNDED PRIORITIES					
Priority 9					
9	DPS	\$ 308,082	\$ 0	\$ 308,082	Adds 3.00 FTE positions to DNE. Provide additional activity for criminal interdictions of drug traffickers who use Iowa interstates and highways and other commercial transportation through the state.
9	DPS	132,302		132,302	Adds 2.00 FTE positions to DNE Intelligence Bureau. Add staff for interdiction of profit-motivated crimes.
9	DPS	884,558		884,558	Adds 7.00 FTE positions to DNE Intelligence Bureau. Add staff for a proactive approach to law enforcement, focusing on identifying critical and emerging problems, issues, and trends.
9	DPS	1,161,922		1,161,922	Adds 13.00 FTE positions to DNE. Assist communities in the safe collection of evidence at meth lab incidents. Also provides expanded training about hazards, identification, and the effects on persons exposed to the toxic chemicals.
9	DPS	552,345		552,345	Adds 6.00 FTE positions to DCI. A new unit to target investigations of crimes victimizing older Iowans, particularly crimes involving fraud or deception.
9	DPS	1,992,547		1,992,547	Adds 10.00 FTE positions to DCI to accept up to 140 additional major investigations and not have to decline/defer requests from local law enforcement.
9	DPS	412,310	100,000	512,310	Adds 5.00 FTE positions to DCI. A new Digital Forensics Unit for computer and cyber crime investigations and forensic analysis.
9	DPS	40,000		40,000	Fire Marshal's Office. Provide a study of the State Building Code, the processing of plans by the Building Code Bureau, and the relationships between other related codes.
9	DPS	135,000		135,000	Fire Service Training Bureau. Funds one new truck tractor and annual replacement for specialized training equipment.

Improve Community Safety, Particularly for Vulnerable Iowans

Rank	Department	GF	Other	Total	Background Information
9	DPS	429,090		429,090	Adds 5.00 FTE positions to Fire Marshal's Office for the manufactured housing program (administered by HUD). Permit the Office to meet increased demands of the new Manufactured Housing Program.
9	DPS	411,644		411,644	Adds 4.00 FTE positions to Fire Marshal's Office for the Arson Bureau, to increase cases resolved by 15.0%. Current level is about 35.0%.
9	Regents	895,850		895,850	Adds 9.50 FTE positions to the University Hygienic Lab to provide intelligence that will save lives, minimize illness and mental retardation, and reduce risk of economic losses. Requested funding permits the Lab to operate 24/7, and provides courier service for submission of specimens.
9	DPS	348,877		348,877	Adds 4.00 FTE positions to the DNE for a Financial Conspiracy Unit to identify, locate, and seize proceeds acquired or derived through illicit drug trafficking.
9	DPS	252,042		252,042	Adds 4.00 FTE positions to the Division of Administration for operation of the IOWA System.
9	DPS	246,983		246,983	Adds 3.00 FTE positions to the DNE to provide uniform training across the State for clandestine lab certification, basic narcotics instruction in drug identification and trends, case development and control, surveillance and drug endangered children.
9	DPS	201,063		201,063	Adds 3.00 FTE positions to the Building Code Bureau to meet the current and projected workload.
9	DPS/DOC	367,330		367,330	Adds 2.00 FTE positions to the Fire Marshal's Office and 3.50 FTE positions to the DOC for fire prevention in correctional facilities.
9	Iowa National Guard	100,000	300,000	400,000	Matching funds to generate federal money for organizational maintenance cooperative agreements.
9	DPS	205,388		205,388	Adds 2.00 FTE positions to the DNE for a Pharmaceutical Diversion Unit to identify and investigate those individuals using legal drugs for illegal means.

Improve Community Safety, Particularly for Vulnerable Iowans

Rank	Department	GF	Other	Total	Background Information
9	DPS	1,427,385		1,427,385	Adds 11.00 FTE positions for the DCI to create a Cold Case Unit for the State.
9	DPS	123,584		123,584	Adds 2.00 FTE positions to the Fire Service Training Bureau for training needs of local fire fighters and emergency response personnel.
9	DHS	50,000		50,000	Provides support for the Disaster Mental Health Coordinator, fund crisis counseling services training and delivery from the time of the disaster occurring until the time a federal emergency is declared (about four weeks), and provide semi-annual training to first responders, volunteer organizations, and the general public.
9	DPS	2,851,502		2,851,502	Adds 35.00 FTE positions to the DNE. Includes 23 special agents to be assigned to the 23 drug task forces in Iowa and 12 support staff for case processing.
9	DPS	800,000		800,000	Adds 12.00 FTE positions to the Iowa State Patrol for security of the Iowa State Capitol.
9	Cultural Affairs	510,000	200,000	710,000	Adds 2.00 FTE positions to the Department of Cultural Affairs to use the arts, history, and culture to build social capital.
Priority 9	Total	\$ 14,839,804	\$ 600,000	\$ 15,439,804	

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Justice System General Fund

	Estimated FY 2005	Gov. Rec. FY 2006	Gov. Rec. vs. Est. FY 2005	Explanation
<i>Governor's Purchasing Results Process: All of the funding for the Justice System Appropriations Subcommittee budget units are included under the Governor's Improve Community Safety, Particularly for Vulnerable Iowans priority, unless specifically noted.</i>				
<i>In certain instances, FTE positions may not reflect the actual amount of positions budgeted due to technical difficulties with the new I/3 budget system.</i>				
<u>Attorney General</u>				
General Office A.G.	\$ 7,774,280	\$ 7,849,280	\$ 75,000	An increase for salaries to maintain current operations. The Governor is recommending that the Department use \$593,000 from the Antitrust Account for Legal Services Poverty Grants.
FTEs	214.50	214.50	0.00	
Victim Assistance Grants	5,000	5,000	0	
Consumer Advocate	2,810,442	2,810,442	0	
FTEs	27.00	27.00	0.00	
Victim Comp. FTE	20.00	20.00	0.00	
Total Attorney General	\$ 10,589,722	\$ 10,664,722	\$ 75,000	
Total FTEs	261.50	261.50	0.00	

The Department of Justice was exempt from the purchasing results process because the Attorney General is an elected official.

Attorney General Fiscal Issues

Legal Services Poverty Grants: Current law requires the Attorney General's Office to contract with a nonprofit corporation to provide legal counsel to indigent people in civil matters. The Attorney General's Office contracted with Iowa Legal Aid for the services. The Program was first funded in FY 1997 with a \$950,000 General Fund appropriation. The General Fund appropriation was eliminated in FY 2004. Iowa Legal Aid received \$593,000 from the Civil Reparation Trust Fund in FY 2004 and \$200,000 in FY 2005. It also received \$393,000 from the Attorney General's Office in FY 2005.

Victim Assistance Grants: The FY 2005 General Fund allocation provides grants to local programs that provide services to victims of violent crime.

Attorney General Federal Funding Issues

All federal grant receipts are decreasing for the Crime Victim Assistance Division. Victims of Crime Act (VOCA) Assistance Grant provides grants to service providers of victims of violent crimes. Fiscal Year 2005 receipts are \$3,807,603, a decrease of \$10,983 (0.29%) compared to FY 2004, and a decrease of \$650,609 (14.59%) compared to FY 2003.

Family Violence Prevention and Services Act Grant funds local domestic abuse programs. Fiscal Year 2005 receipts are \$1,161,973, a decrease of \$15,836 (1.34%) compared to FY 2004, and a decrease of \$105,154 (8.30%) compared to FY 2003.

Violence Against Women Act (VAWA) Grant funds victim services, law enforcement, prosecution and court services for domestic violence, sexual assault, and stalking programs. Fiscal Year 2005 receipts are \$1,598,731, a decrease of \$176,840 (9.94%) compared to FY 2004, and a decrease of \$285,053 (15.13%) compared to FY 2003. **VOCA Compensation Grant** provides direct payment to crime victims. Fiscal Year 2005 receipts are \$1,238,000, the same amount as FY 2004, and a decrease of \$322,000 (20.64%) compared to FY 2003.

Justice System General Fund

	Estimated FY 2005	Gov. Rec. FY 2006	Gov. Rec. vs. Est. FY 2005	Explanation
<u>Required Reports</u>				
Senate File 439 (FY 2004 Justice System Appropriations Act) required the Legal Services Corporation of Iowa to report grants received in FY 2003 and efforts to obtain further funding. The report was due January 1, 2004 and was not submitted until February 1, 2004.				
<u>Civil Rights Commission</u>				
Civil Rights Commission	\$ 858,088	\$ 950,788	\$ 92,700	An increase for 2.00 FTE positions - Civil Rights Specialists.
FTEs	27.00	27.50	0.50	The Governor is recommending a FY 2005 supplemental appropriation of \$56,000 for the Civil Rights Commission to maintain current operations.

The Governor included the Civil Rights Commission budget in the Transform Iowa's Economy priority.

Civil Rights Commission Fiscal Issues

Workload: The General Fund appropriation for the Commission decreased 25.25% from FY 1995 through FY 2004, while the number of complaints filed decreased by 280 (12.31%).

The backlog of cases represents approximately 11 months. The Subcommittee may want to discuss options for managing the workload of the Commission.

The Governor is recommending an increase of \$92,700 for two additional Civil Rights Specialist positions.

FY 2005 Budget: The Commission announced the lay off of 2.00 FTE positions in December 2004, and is holding an additional three positions vacant.

The Commission also implemented a furlough plan, where five exempt staff are furloughed one day per week, for an unknown number of weeks.

The Commission is attempting to balance the FY 2005 budget, which did not include funding for salary increases. The estimated need for salary increases is approximately \$32,000, in FY 2005, if all positions are filled for the entire year. The Governor is recommending an FY 2005 supplemental appropriation of \$56,000 to maintain existing operations.

Civil Rights Commission Federal Funding Issues

The Commission estimates receiving \$1,035,722 in federal funds for FY 2005, a decrease of \$156,499 (13.13%) compared to FY 2004 receipts. Details include:

Equal Employment Opportunity Commission (EEOC): \$782,975 in FY 2005, a decrease of \$53,625 (6.41%).

This funding supported 12.54 FTE positions in FY 2004, a decrease of 2.11 (14.40%) FTE positions compared to FY 2003.

Housing and Urban Development (HUD): \$252,747, a decrease of \$102,874 (28.93%) compared to FY 2004 receipts. There are three funding streams from HUD. The Housing Discrimination Grant is based on the number of housing complaints projected in a given year. For FY 2005, the Commission budgeted \$193,022, a decrease of \$67,648 (25.95%) compared to FY 2004 receipts. The Immigration Education Grant partially supports a training position. The Commission budgeted \$65,188 in FY 2004, and no funds for FY 2005. The Commission budgeted \$59,725 for the Housing Accessibility Grant in FY 2005, an increase of \$29,962 (100.66%) compared to FY 2004 receipts. This education grant funds training costs.

Justice System General Fund

	Estimated FY 2005	Gov. Rec. FY 2006	Gov. Rec. vs. Est. FY 2005	Explanation
Corrections, Department of				
Corrections Central Office				
Central Office Corrections	\$ 2,829,708	\$ 2,829,708	\$ 0	The Governor is recommending a FY 2005 supplemental appropriation of \$414,416 for Central Office to maintain existing operations.
FTEs	37.18	37.18	0.00	
Iowa Corr. Offender Network	427,700	427,700	0	
County Confinement	674,954	674,954	0	
Federal Prisoners/Contractual	241,293	241,293	0	
Corrections Education	1,008,358	1,008,358	0	
Total Corrections Central Off.	5,182,013	5,182,013	0	
Total FTEs	37.18	37.18	0.00	
Corrections Institutions				
Ft. Madison Inst.	38,170,426	38,923,261	752,835	An increase of \$338,408 and 8.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
FTEs	549.00	560.50	11.50	An increase of \$165,000 for daily operations, including \$65,000 for food and \$100,000 for utilities. An increase of \$249,427 and 3.50 FTE positions to address mental health issues. The positions include 1.00 Nurse Specialist; 1.00 Psychologist 3, 1.00 Psychologist 4, and 0.50 Physician. The Governor is also recommending an appropriation of \$1,187,285 from the Healthy Iowans Tobacco Trust Fund for operating costs of the Clinical Care Unit.
Anamosa Inst.	27,015,049	27,257,452	242,403	An increase of \$126,903 and 3.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
FTEs	370.75	374.25	3.50	An increase of \$115,500 for daily operations, including \$38,500 for pharmacy; \$48,500 for food; and \$28,500 for utilities.
Oakdale Inst.	23,624,725	25,730,278	2,105,553	An increase of \$84,602 and 2.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
FTEs	267.00	317.50	50.50	An increase of \$159,000 for daily operations, including \$100,000 for food and \$59,000 for utilities. An increase of \$200,000 and 4.00 FTE positions to maintain correctional officer positions that are currently filled. An increase of \$1,661,951 and 24.50 FTE positions to operate a 24-bed mental health unit. The Governor is recommending a FY 2005 supplemental appropriation of \$100,000 for one-time costs of renovating existing space for these beds.
Newton Inst.	24,631,729	25,073,632	441,903	An increase of \$126,903 and 3.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
FTEs	335.00	336.00	1.00	An increase of \$315,000 for daily operations, including \$115,000 for pharmacy; \$100,000 for food; and \$100,000 for utilities.
Mt Pleasant Inst.	22,560,276	23,003,340	443,064	An increase of \$253,806 and 6.00 FTE positions to maintain correctional officer positions when staff return from active military duty. An increase of \$72,258 and 1.00 FTE position to address mental health issues. The position is a Psychologist 3.

Justice System General Fund

	Estimated FY 2005	Gov. Rec. FY 2006	Gov. Rec. vs. Est. FY 2005	Explanation
FTEs	308.96	315.96	7.00	An increase of \$117,000 for daily operations, including \$27,000 for pharmacy; \$40,000 for food; and \$50,000 for utilities.
Rockwell City Inst.	7,797,776	8,096,378	298,602	An increase of \$84,602 and 2.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
FTEs	108.00	109.00	1.00	An increase of \$114,000 for daily operations, including \$10,000 for pharmacy; \$50,000 for food; and \$54,000 for utilities. An increase of \$100,000 and 2.00 FTE positions to maintain correctional counselor positions that are currently filled.
Clarinda Inst.	22,590,992	22,904,497	313,505	An increase of \$211,505 and 5.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
FTEs	334.65	335.65	1.00	An increase of \$102,000 for daily operations, including \$22,000 for pharmacy; \$30,000 for food; and \$50,000 for utilities.
Mitchellville Inst.	13,248,001	14,002,603	754,602	An increase of \$84,602 and 2.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
FTEs	196.00	205.50	9.50	An increase of \$270,000 for daily operations, including \$100,000 for pharmacy; \$75,000 for food; and \$95,000 for utilities. An increase of \$400,000 and 7.50 FTE positions to maintain positions that are currently filled. These positions include an Administrative Assistant, social worker, security staff, and a part-time physician.
Ft. Dodge Inst.	25,984,774	26,315,943	331,169	An increase of \$188,669 and 4.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
FTEs	372.00	376.00	4.00	An increase of \$142,500 for daily operations, including \$20,000 for pharmacy; \$75,000 for food; and \$47,500 for utilities.
Total Corrections Institutions	205,623,748	211,307,384	5,683,636	
Total FTEs	2,841.36	2,930.36	89.00	
CBC				
CBC District I	10,113,032	10,406,624	293,592	An increase for six new Parole/Probation Officers.
FTEs	189.96	195.96	6.00	
CBC District II	7,772,849	8,017,509	244,660	An increase for five new Parole/Probation Officers.
FTEs	137.04	136.29	-0.75	The Governor is also recommending an appropriation of \$127,217 from the Healthy Iowans Tobacco Trust Fund for operating costs of a Day Program (3.00 FTE positions).
CBC District III	4,640,744	4,836,472	195,728	An increase for four new Parole/Probation Officers.
FTEs	74.49	78.49	4.00	The Governor is also recommending an appropriation of \$35,359 from the Healthy Iowans Tobacco Trust Fund for operating costs of a Drug Court (1.00 FTE position).
CBC District IV	4,256,613	4,305,545	48,932	An increase for one new Parole/Probation Officer.
FTEs	72.50	73.50	1.00	The Governor is also recommending an appropriation of \$191,731 from the Healthy Iowans Tobacco Trust Fund for operating costs of a Drug Court (3.50 FTE positions).
CBC District V	13,009,486	13,547,738	538,252	An increase for 11.00 new Parole/Probation Officers.

Justice System General Fund

	Estimated FY 2005	Gov. Rec. FY 2006	Gov. Rec. vs. Est. FY 2005	Explanation
FTEs	235.95	246.95	11.00	The Governor is also recommending an appropriation of \$255,693 from the Healthy Iowans Tobacco Trust Fund for operating costs of a Drug Court (2.50 FTE positions).
CBC District VI	10,087,064	10,331,724	244,660	An increase for five new Parole/Probation Officers.
FTEs	183.24	180.49	-2.75	
CBC District VII	5,689,384	5,787,248	97,864	An increase for two new Parole/Probation Officers.
FTEs	95.95	97.95	2.00	
CBC District VIII	5,586,576	5,722,888	136,312	An increase for two new Parole/Probation Officers and fund current overtime costs.
FTEs	86.85	88.85	2.00	
Total CBC Districts	61,155,748	62,955,748	1,800,000	
Total FTEs	1,075.98	1,098.48	22.50	
Total Corrections Department	\$ 271,961,509	\$ 279,445,145	\$ 7,483,636	
Total FTEs	3,954.52	4,066.02	111.50	

Department of Corrections Fiscal Issues

Prison Population Growth: Iowa's prison population is currently 8,539 inmates, which is 122.20% of current design capacity. Under current policies and practices, the population may reach approximately 10,600 offenders by FY 2014. This is an increase of 22.90% over the next ten years.

The Governor is recommending an increase of \$1,500,000 for daily operations, including increased costs for food, utilities, and pharmacy.

The Governor is also recommending an increase of \$1,500,000 to maintain correctional officer positions when staff return from military duty.

FY 2005 Budget: The Department announced the lay off of 20.0 FTE positions in September 2004 at the Anamosa, Oakdale, Clarinda and Fort Dodge Correctional Facilities plus the Fourth Community-Based Corrections (CBC) District Department. The Department is attempting to balance the FY 2005 budget, which did not include funding for salary increases. The estimated need for salary increases is approximately \$10,900,000, in FY 2005, if all positions are filled for the entire year. It is anticipated that budget plans will be modified during FY 2005 to accommodate projected increases in the offender population, known increases in support budgets such as utility costs, and any savings generated through the Charter Agency agreement.

The Governor is recommending an increase of \$700,000 to maintain positions that are currently filled.

Mental Illness: Approximately 20.00% of offenders in prison have a mental health condition. The DOC is working with the University of Iowa School of Medicine and the Iowa Consortium of Mental Health Board to improve services to a growing number of mentally ill inmates.

A 170-bed Special Needs Unit is being constructed at the Iowa Medical Classification Center at Oakdale, pursuant to federal court order. The facility is expected to open in FY 2007. The Subcommittee may want to review this issue with the Department, including the projected operating budget for the new facility, the use of this facility in conjunction with the Clinical Care Unit at Fort Madison, and the projected needs of mentally ill inmates.

Ombudsman's Report: There have been four offender suicides at the Clinical Care Unit at Fort Madison in 21 months. Additionally, a female offender in the Women's Unit at the Mount Pleasant Correctional Facility and a male offender in the general population at Fort Madison committed suicide in the Fall of 2004. The Governor's Office released the report it requested from the Ombudsman's Office in November 2004, which provided background and recommendations regarding the operations of the Clinical Care Unit. Additionally, the DOC requested technical assistance from the National Institute of Corrections, and an investigation by the Department of Public Safety, Division of Criminal Investigation. The Subcommittee may want to

Justice System General Fund

Estimated FY 2005	Gov. Rec. FY 2006	Gov. Rec. vs. Est. FY 2005	Explanation	
review these reports and recommendations.				
The Governor is recommending an increase of \$1,983,636 to address mental health issues within the prison system.				
CBC Growth: The CBC offender population may increase from 29,320 in FY 2004 to approximately 53,000 offenders by FY 2014. This is an increase of 80.81% over the next ten years. The Governor is recommending an increase of \$1,800,000 for new Parole/Probation Officer positions.				
FY 2004 Appropriation Transfer: The Department transferred \$688,361 to the Department of Public Safety in December 2003. The transfer was pro-rated across the prisons, CBC District Departments, and Central Office.				
FY 2004 Reallocations: The Department transferred \$915,000 within the corrections system in FY 2004. The Clarinda Correctional Facility transferred out \$300,000; funds were available to transfer due to the delayed opening of the 225-bed Lodge. The Fort Dodge Correctional Facility transferred out \$210,000. Funds were available to transfer from the following line items: personnel services (delayed filling vacant positions), uniforms, equipment, and outside repairs. The Iowa State Penitentiary at Fort Madison transferred out \$230,000. Funds were available to transfer from the following line items: personnel services (delayed filling vacant positions) and outside services. The County Confinement Account reimburses counties for holding alleged parole, work release, and certain Operating While Intoxicated (OWI) violators in local jails pending revocation proceedings. The Department is holding more of these alleged violators within the prison system rather than in county jails. The Department transferred \$100,000 out of this Account. The Fifth CBC District Department transferred out \$75,000; the funds were available to transfer due to increased local income from client rent. The Eighth CBC District Department received \$140,000; the District Department experienced unanticipated cost increases, primarily in utility costs. The Iowa Correctional Institution for Women at Mitchellville received \$385,000; the prison experienced unexpected cost increases in drugs and biologicals, food, communications, workers compensation, and outside repairs. The Iowa Medical Classification Center at Oakdale received \$250,000; the prison experienced unexpected cost increases in various supply line items and unanticipated costs for travel, including vehicle operations, and in-state and out-of-state travel. The North Central Correctional Facility received \$90,000; the prison experienced unexpected cost increases in drugs and biologicals, and unanticipated costs for travel, including vehicle operations, and in-state and out-of-state travel.				
<u>Required Reports</u>				
Senate File 439 (FY 2004 Justice System Appropriations Act) requires the Clarinda Youth Academy to reimburse the DOC for operating costs. The FY 2004 reimbursement was \$1,497,525.				
<u>Lease Purchase</u>				
As of June 30, 2004, the Department of Corrections had an estimated \$4,210,659 in future obligations for lease purchase and installment purchase agreements. The annual payments are estimated to be \$904,565.				
<u>Inspections & Appeals, Dept of</u>				
Indigent Defense Appropriation	\$ 19,355,297	\$ 21,163,082	\$ 1,807,785	An increase to fund projected claims. The Governor is recommending a FY 2005 supplemental appropriation of \$2,896,042 to fund a projected increase in claims.

Justice System General Fund

	Estimated FY 2005	Gov. Rec. FY 2006	Gov. Rec. vs. Est. FY 2005	Explanation
Public Defender	16,860,849	\$ 18,444,964	\$ 1,584,115	An increase to fund currently authorized positions.
FTEs	202.00	202.00	0.00	The Governor is recommending a FY 2005 supplemental appropriation of \$1,584,115 to fill all currently authorized positions.
Total Inspections & Appeals, Dept o	\$ 36,216,146	\$ 39,608,046	\$ 3,391,900	
FTEs	202.00	202.00	0.00	

State Public Defender Fiscal Issues

Caseloads: The average annual increase in cases staffed by the Office of the State Public Defender is 8.83% from FY 1994 through FY 2004. The average annual increase in claims filed by private attorneys is 16.08% from FY 1994 through FY 2004. The average annual increase in total spending is 8.59% over the same period. The Subcommittee may want to examine the adequacy of staffing and funding.

The Governor is recommending an increase of \$1,584,115 to fund all currently authorized positions in the Office of the State Public Defender.

The Governor is recommending an increase of \$1,807,785 to fund a projected increase in claims.

FY 2004 Appropriation Transfers/Reallocations: The Office of State Public Defender received a net reallocation of \$472,182 from the Indigent Defense appropriation. The transfer permitted the Office to fill attorney positions in FY 2004. The actual amount spent in FY 2004 exceeds the FY 2005 appropriation.

Indigent Defense - A net of \$2,374,231 was transferred into the budget to close the books on FY 2004. Funds were transferred from the Board of Parole, Departments of Public Safety, Commerce, and Human Services. The actual amount spent in FY 2004 exceeds the FY 2005 appropriation.

Required Reports

Senate File 2298 (FY 2005 Omnibus Appropriations Act) required the State Public Defender's Office to file a report regarding efficiency and cost saving measures that may be achieved within the Office. The report was filed by the deadline, December 15, 2004.

Judicial Branch

Judicial Branch	\$ 118,084,282	\$ 125,734,868	\$ 7,650,586	An increase of \$2,756,416 to lift the eight unpaid leave and court closure days in FY 2005, and restore travel and education funds.
FTEs	1,817.85	1,963.81	145.96	An increase of \$1,055,923 to fund all currently authorized positions. The majority of these positions have been vacant more than three years. An increase of \$336,000 to fund the ongoing costs of the new Judicial Building, including utility and maintenance costs. An increase of \$1,000,000 to fund the ongoing operating costs of the Iowa Court Information System (ICIS) from the General Fund rather than the Enhanced Court Collections Fund. An increase of \$2,086,096 to add 41.00 FTE positions across the State. An increase of \$31,651 for increased costs of the reimbursement to be paid to the Department of Administrative Services. A one-time increase of \$25,000 to fund membership in the Consortium for State Court Interpreter Certification. An increase of \$359,500 for furnishings and equipment for the new Dickinson County courthouse, and other courthouses across the State.
Judicial Retirement	2,039,664	4,979,417	2,939,753	An increase to fund the employer's share at 23.7% of covered salaries, pursuant to current law.

Justice System General Fund

	Estimated FY 2005	Gov. Rec. FY 2006	Gov. Rec. vs. Est. FY 2005	Explanation
Total Judicial Branch	\$ 120,123,946	\$ 130,714,285	\$ 10,590,339	
FTEs	1,817.85	1,963.81	145.96	

Judicial Branch Fiscal Issues

FY 2005 Budget: The Supreme Court closed all court offices and required furloughs for eight days. Judges and Magistrates were not furloughed; the Supreme Court cannot lower their statutory salaries. The Supreme Court approved raises for non-contract employees similar to what contract employees received. The Supreme Court is also delaying filling vacant positions, and reduced travel and supply budgets. The Supreme Court is attempting to balance the FY 2005 budget, which did not include funding for salary increases. The estimated need for salary increases is approximately \$4,000,000 in FY 2005, if all positions were filled for the entire fiscal year. ***The Governor is recommending a \$1,500,000 supplemental appropriation for FY 2005 for the Judicial Branch.***

Judicial Branch Interim Committee:

An interim task force met to discuss a Judicial District and Judicial Resources Study Committee. The findings are available at <http://www.legis.state.ia.us/GA/80GA/Interim/2004/comminfo/judredist/FinalReport.pdf>.

Law Enforcement Academy

Operations	\$ 1,075,138	\$ 1,075,138	\$ 0	<i>The Governor is recommending an FY 2005 supplemental appropriation of \$150,000 to maintain current operations due to declining receipts from local law enforcement.</i>
FTEs	30.05	30.05	0.00	

Parole, Board of

Parole Board	\$ 1,072,560	\$ 1,106,044	\$ 33,484	An increase for a part-time administrative law judge and a part-time clerk. Includes a vacancy factor of \$15,000.
FTEs	16.50	17.50	1.00	

Board of Parole Fiscal Issues

Prison Overcrowding: There were 3,611 inmates granted parole in FY 2004, a decrease of 235 (6.11%) compared to FY 2003. There were 1,292 work releases granted in FY 2004, an increase of 213 (19.74%) compared to FY 2003. However, the prison population was 8,539 offenders on February 7, 2005, which is 122.17% of design capacity. The Subcommittee may want to review the criteria used by the Board to grant parole and work release.

Board Staff: The Board of Parole utilized 13.35 FTE positions in FY 2004, or 80.91% of authorized positions.

The Subcommittee may wish to review the Board's use of technology and databases (Iowa Corrections Offender Network) to assist in managing the Board's workload.

FY 2004 Appropriation Transfer: The Board transferred \$61,495 to the Indigent Defense budget in FY 2004. This amount is 6.03% of the Board's appropriation. Funds were available to transfer out of the Board's budget due to a hiring and spending freeze.

Justice System General Fund

	Estimated FY 2005	Gov. Rec. FY 2006	Gov. Rec. vs. Est. FY 2005	Explanation
Public Defense, Department of				
Public Defense, Dept. of				
Military Division	\$ 5,130,040	\$ 5,130,040	\$ 0	
FTEs	317.35	312.55	-4.80	The reduction is due to eliminating unfunded FTE positions within the Military Division.
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Emergency Management Division				
Emergency Management Div.	1,172,230	1,172,230	0	
FTEs	25.25	24.75	-0.50	The reduction is due to eliminating a partially funded FTE position within the Emergency Management Division.
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Total Public Defense Dept.	\$ 6,302,270	\$ 6,302,270	\$ 0	
FTEs	342.60	337.30	-5.30	
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Public Safety, Department of				
Public Safety Administration	\$ 3,073,274	\$ 3,520,033	\$ 446,759	Increase for the Department of Administrative Services (DAS) billings for FY 2006. (Includes \$270,000 for the new DCI Crime Lab at Ankeny)
FTEs	37.00	38.00	1.00	Adds 1.00 FTE to assist with the Peace Officer Retirement Fund and human resources.
Investigation, DCI	14,058,510	15,539,052	1,480,542	An increase of \$286,944 for three additional special agents at each race track (Dubuque, Prairie Meadows, and Council Bluffs). Includes training, equipment, and supplies. An increase of \$250,000 to replace the Crime Lab Improvement Program (CLIP) federal grant for the replacement of supplies for the crime lab in Ankeny. An increase of \$943,598 for three additional criminalists and one secretary (\$209,982) as well as replacement of the Crime Lab Improvement Program (CLIP) federal grant for the replacement of equipment for the crime lab in Ankeny (\$732,016) plus \$1,600 in support costs.
FTEs	215.50	222.50	7.00	
Undercover Funds	123,343	123,343	0	
Narcotics Enforcement	3,930,089	4,701,141	771,052	Increase in State funding for nine months (October through June) to continue the Fusion System during a gap in federal funding streams from the Office of Domestic Preparedness. The Fusion System is a statistical database to track crimes that pose a threat to homeland security. (Anticipate receipt of \$226,853 in federal funds).
FTEs	75.00	75.00	0.00	The Department Request eliminated unfunded FTE positions and the Governor's Recommendation added 18.00 FTE positions: 1.00 Clerk (\$34,946), 2.00 Information Techs (\$72,692), 8.00 Criminal Analysts (\$354,592), and 7.00 Special Agents (\$445,179).

Justice System General Fund

	Estimated FY 2005	Gov. Rec. FY 2006	Gov. Rec. vs. Est. FY 2005	Explanation
Fire Marshal	2,181,998	2,181,998	0	
FTEs	39.00	39.00	0.00	
Iowa State Patrol	42,517,133	43,901,973	1,384,840	An increase of \$400,000 for vehicle depreciation for 20 new cars.
				An increase of \$909,840 and ten new troopers. This includes ten new cars and equipment.
				An increase of \$75,000 for racial profiling training for public safety peace officers.
FTEs	521.00	531.00	10.00	
DPS/SPEC Sick Leave Payout	316,179	316,179	0	
Fire Fighter Training	559,587	699,587	140,000	Increase to help defray cost of new volunteer firefighter training standards.
FTEs	1.00	1.00	0.00	
Fire Service	638,021	638,021	0	
FTEs	10.00	10.00	0.00	
Total Public Safety, Department of	\$ 67,398,134	\$ 71,621,327	\$ 4,223,193	
FTEs	898.50	916.50	18.00	
<u>Department of Public Safety Fiscal Issues</u>				
Crime Lab: The Department is requesting \$250,000 to annualize funding it received in FY 2005 to replace a federal grant that provided supplies.				
Total Justice System	\$ 515,597,513	\$ 541,487,765	\$ 25,890,252	
Total FTEs	7,550.52	7,822.18	271.66	

G: Fiscal Services/Projects/Budget Analysis/FY 2006/Detail Packet/02e detail spreadsheet.xls

Justice System Appropriations Subcommittee

Issues

The Justice System Appropriations Subcommittee may wish to examine the following issues:

Department of Justice

- ▶ **Victim Compensation Fund** – Based on actuarial studies in other states, at least \$4.6 million should be held in reserve so the Fund remains actuarially sound. This amount provides a six-month reserve for victim claims and operations in case of a catastrophic event, such as the Oklahoma City bombing. The FY 2004 ending balance was approximately \$3.7 million, which is less than the recommended level.

The Department is maintaining a three-month reserve in FY 2005, so that funds may be transferred to Victim Assistance Grants. The Victim Assistance Grants Program awards funds to service providers for victims of rape, sexual assault, and domestic abuse. Two domestic violence shelters closed in FY 2003 due to financial problems. The Subcommittee may want to review alternatives for either increasing receipts or decreasing expenditures for the Victim Compensation Fund.

- ▶ **Victim Assistance Grants** – The Victim Assistance Grants Program awards funds to agencies that provide services to victims of rape, sexual assault, and domestic abuse. Federal funds received for Victim Assistance Grants have been steadily declining over the last three fiscal years, from \$7.1 million in FY 2003 to \$6.3 million in FY 2005. Receipts have declined from all three federal sources: Victims of Crime Act (VOCA), Violence Against Women Act (VAWA), and the Family Violence Prevention and Services Act. The FY 2005 General Fund allocation (\$35,000) provides the required match for administrative costs of the Violence Against Women Act (\$30,000) and grants to service providers (\$5,000). The General Fund appropriation for Victim Assistance Grants peaked in FY 2001 at \$1.9 million. The Department transferred \$2.3 million from the Victim Compensation Fund to Victim Assistance Grants in FY 2005, pursuant to Section 915.94, Code of Iowa. It is unlikely the Victim Compensation Fund will be able to support the FY 2005 funding level for Victim Assistance Grants in future fiscal years. The Subcommittee may want to review funding options.

- ▶ **Legal Services Poverty Grants** – Chapter 13, Code of Iowa, requires the Attorney General's Office to contract with a nonprofit corporation to provide legal counsel to indigent people in civil matters. The Attorney General's Office contracted with Iowa Legal Aid for the services. The Program was first funded in FY 1997 with a \$950,000 General Fund appropriation. The General Fund appropriation was eliminated in FY 2004; Iowa Legal Aid received \$593,000 from the Civil Reparation Trust Fund. Iowa Legal Aid received \$200,000 from the Civil Reparations Trust Fund in FY 2005, plus \$393,000 from the Attorney General's Office. The Office is requesting \$593,000 from the General Fund in FY 2006 for the Program. The Subcommittee may want to review funding sources for the program. ***The Governor is recommending \$593,000 from Antitrust Enforcement funds (non-General Fund) for Legal Services Poverty Grants.***

Justice System Appropriations Subcommittee

Civil Rights Commission

- ▶ **Operations** – The Civil Rights Commission laid off 2.0 FTE positions in January 2005, is currently holding an additional 3.0 FTE positions vacant, and has implemented a furlough plan. The backlog of cases pending investigation is approximately 11 months. The Subcommittee may want to review staff alternatives, such as volunteers or interns. **The Governor is recommending an increase of \$93,000 for an additional 2.0 FTE positions. In the Purchasing Results process, this recommendation is included in the Transform the Economy Results Area.**

Department of Corrections

- ▶ **Prison Population Growth** – The Iowa prison population is currently 8,500 inmates, which is 121.6% of current design capacity. The Criminal and Juvenile Justice Planning Division of the Department of Human Rights projects the population to reach 10,582 inmates by FY 2014, if current sentencing policies and laws remain in place. If the inmate population reaches 10,582, three new 800-bed prisons will need to be built at a cost of \$50.0 million for each prison. Each prison will incur annual operating costs of approximately \$28.0 million, if they operate at full capacity. Please review the **Issue Review** entitled "[Overview of the State Corrections System](#)" for more information. The Subcommittee may want to examine alternatives to building new prisons. **The Governor is recommending an increase of \$5.5 million to fund staff and operating costs in the Institutions and Community-Based Corrections District Departments. In the Purchasing Results process, this recommendation is included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.**
- ▶ **Mental Health** – Currently, approximately 20.0% of offenders in prison have a mental health condition. The Department of Corrections (DOC) is working with the University of Iowa College of Medicine and the Iowa Consortium of Mental Health Board to improve services to a growing number of mentally ill inmates. The Department is constructing a 170-bed Special Needs Unit at the Iowa Medical Classification Center at Oakdale to comply with a federal court order relating to mentally ill inmates. The facility is expected to open in FY 2007. The Subcommittee may want to review this issue with the Department, including the projected operating budget for the facility, the use of this facility in conjunction with the Clinical Care Unit at Fort Madison, and the projected needs of mentally ill inmates. Please review the **Issue Review** entitled "[Medical Costs of the State Prison System](#)" for more information. **The Governor is recommending an increase of \$2.0 million to operate a 24-bed mental health unit at the Iowa Classification Center at Oakdale, and for additional mental health staff at Fort Madison and Mount Pleasant. In the Purchasing Results process, this recommendation is included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.**

Justice System Appropriations Subcommittee

- ▶ **Inmate Employment** – The DOC uses a variety of methods to meet Iowa’s Hard Labor Law (Section 904.701, Code of Iowa). Inmates are employed in the Institutions, e.g., working in the kitchen or laundry. They are also employed on the prison farms, by private sector businesses, and in traditional Iowa Prison Industries jobs. Several Institutions provide community work crews, where the inmates work on projects that benefit local governments and nonprofit organizations. Inmates are also used by State agencies, such as the Department of Natural Resources and the Department of Transportation. House File 2367 (Corrections Omnibus Act), enacted during the 2004 Legislative Session, permits the Department to charge agencies a fee for the use of inmate labor. The waivable fee ranges from \$3.00 to \$5.00 per day per inmate, depending upon services provided by the receiving agency, such as transportation and meals. The stipend is used to offset the costs of inmate labor, such as transportation and inmate personal safety equipment. The Subcommittee may wish to learn more about the type and amount of work performed by inmates and funding generated by the new agency fee.
- ▶ **Prison Education** – The General Fund appropriation for inmate education peaked in FY 2001 at \$3.3 million. The FY 2005 General Fund appropriation is \$1.0 million, which is a decrease of \$2.3 million (69.4%) compared to FY 2001. Since FY 2001, the DOC is relying on other funding sources, such as carryover funding from the previous year’s appropriation, Institution Canteen receipts, and the Telephone Rebate Fund, to provide adult basic education, high school equivalent, and vocational courses through the community college system. Literacy is a significant problem that limits employment for the inmate population, and the Department has focused educational resources on literacy for the past several years. Research suggests inmate education increases employability of released inmates and reduces recidivism. Vocational education is provided primarily in conjunction with Prison Industries. The Subcommittee may want to examine the effectiveness of funding streams for prison education.

Judicial Branch

- ▶ **Judicial Retirement** – The Judicial Retirement Fund contribution rate is set at 23.7% in Section 602.9104(4)(b), Code of Iowa. According to the most recent actuarial report, the Judicial Retirement Fund is 79.0% funded. The judge’s contribution rate is set in the Code and was increased from 4.0% to 5.0% as of July 1, 2000. There are currently 193 active members participating in the Judicial Retirement Fund. There are nine inactive vested members, 103 retirees and Senior Judges, and 38 surviving spouses. Senate File 2298 (FY 2005 Omnibus Appropriations Act) notwithstanding the Code of Iowa to decrease the employer contribution rate to the Judicial Retirement Fund from 23.7% to 9.7%. The FY 2005 General Fund appropriation to the Judicial Retirement Fund was \$2.0 million. For FY 2005, covered payroll is currently estimated at \$21.0 million. If the Judicial Retirement Fund was funded at the statutory requirement of 23.7%, the appropriation would be \$5.0 million.

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Department of Public Safety

- ▶ **Iowa State Patrol Vehicle Depreciation** – The State Vehicle Dispatcher recommends that vehicles in the Department of Public Safety be replaced when they have reached 92,000 miles. Currently, vehicles are being replaced at 130,000 miles. High mileage vehicles result in down time for repairs and may create unsafe situations. The scheduled replacement of Iowa State Patrol vehicles is 125 vehicles per year or 30.0% of the fleet. The balance in the Department of Public Safety's accumulated depreciation account is \$1.9 million, of which \$1.5 million is for the Iowa State Patrol. For FY 2005, Public Safety is planning on ordering approximately 95 cars, which is 30 fewer cars than what is needed to maintain the current fleet numbers. ***The Governor is recommending an increase of \$400,000 for the Iowa State Patrol for vehicle replacement. The Governor is also recommending an increase of \$910,000 for 10.0 new trooper positions and vehicles. In the Purchasing Results process, this recommendation is included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.***

- ▶ **Division of Narcotics Enforcement** – ***The Governor is recommending an increase of \$771,000 for the development of a statistical database to track crimes that pose a threat to homeland security. In the Purchasing Results process, these recommendations are included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.***

- ▶ **Division of Criminal Investigation Appropriation Increase** – The Division of Criminal Investigation (DCI) is requesting an increase of \$537,000 and 3.0 FTE positions compared to estimated FY 2005.
 - ◆ The DCI is requesting \$250,000 for supplies (chemicals, gloves, cotton swabs, and other expendables) necessary to the operation of the crime lab in Ankeny. The new lab is scheduled to open in December 2004. These expendables were previously covered by a federal grant that expires in December 2004. In FY 2005, Public Safety received an increase in funding of \$250,000 for crime lab replacement funding in SF 2298 (FY 2005 Omnibus Appropriations Act). This money would be used to pay for crime lab expendables once the CLIP grant ends in December. ***The Governor is recommending an increase of \$250,000 for the crime lab. The Governor is also recommending an increase of \$944,000 and 4.0 FTE positions for crime lab equipment replacement and crime scene staff. In the Purchasing Results process, these recommendations are included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.***

 - ◆ The DCI is also requesting \$287,000 and 3.0 FTE positions for special agents at all three racetracks (Prairie Meadows, Dubuque, and Council Bluffs), assuming table games are added. This amount would cover the additional FTE positions as well as the training, equipment, supplies, and the additional background and criminal investigations that accompany allowing table games at the tracks. Currently, only Prairie Meadows has applied for a license to include table games. The other two tracks have until June 1, 2005, to receive an expanded gaming license. After that date, the provisional period for expanded gaming expires. ***The Governor is recommending an increase of \$287,000 and 3.0 FTE positions for regulation of additional table games. In the Purchasing Results process, this recommendation is included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.***

Justice System Appropriations Subcommittee

- ▶ **Fire Fighter Training Increase** – *The Governor is recommending an increase of \$140,000 to help defray costs for the implementation of enhanced statewide training standards for fire fighters. In the Purchasing Results process, this recommendation is included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.*
- ▶ **FY 2004 Appropriation Transfers** – In FY 2004, the following appropriation transfers were received by the Department of Public Safety and transferred from the Department of Public Safety.
 - ◆ The Department of Public Safety received a transfer of \$1,522,019 from the following Departments to offset reductions to Public Safety from the 2.5% across-the-board reductions: Commerce (\$3,225), Corrections (\$688,361), Human Services (\$590,914), Natural Resources (\$37,933), Revenue (\$52,061), and the Veterans Home (\$149,525).
 - ◆ The Department of Public Safety transferred \$849,012 to Indigent Defense. The total amount transferred from State agencies to Indigent Defense was \$2,846,413.
 - ◆ The Department of Public Safety transferred \$150,000 to the Iowa Law Enforcement Academy due to declining receipts from local law enforcement.

Iowa Law Enforcement Academy

- ▶ **Law Enforcement Academy Class Sizes and Appropriations:** At the end of FY 2004, the Iowa Law Enforcement Academy (ILEA) needed an appropriation transfer of \$150,000 to close the books. Class enrollments in FY 2004 were down compared to previous years. The average class size for an Academy is 42 students and six Basic Academy's are offered a year. In FY 2004, there were five Basic classes offered and the average number of students was 32. Fiscal Year 2004 had a decrease of \$269,315 in revenue due to a decrease in the number of students and a lower tuition rate per student compared to FY 2003. The ILEA is currently surveying local governments to determine the reasons for the reductions in staff training. Results of that survey should be available in January 2005.

For FY 2005, notwithstanding language (Section 80B.11B(2), Code of Iowa) in SF 2298 (FY 2005 Omnibus Appropriations Act) allowed the ILEA to charge more than 50.0% of the cost of tuition to help offset a potential revenue shortfall. The General Fund appropriation to the ILEA for FY 2005 was \$1,066,890, which was a decrease of \$2,696 compared to FY 2004. Tuition for FY 2005 will be 65.0% of cost or \$2,650 per person. This is an increase of \$565 per person compared to the tuition rate for FY 2004. The Subcommittee may wish to discuss the estimated FY 2006 tuition rates with ILEA during the Subcommittee process.

Justice System Appropriations Subcommittee

Public Defender and Indigent Defense Program

- **Caseloads** – The Office of the State Public Defender expended \$39.0 million in total funds during FY 2004, an increase of \$2.7 million (7.3%) compared to FY 2003. Costs for this constitutionally mandated program have been steadily increasing due to the increase in cases and claims. Since FY 1994, the average annual increase in spending has been 8.6%. From FY 1994 to FY 2004, the number of attorney claims for reimbursement from the Indigent Defense Fund has increased 160.8%, while the number of cases handled by the Office of the State Public Defender increased 88.3%. The Subcommittee may want to examine the adequacy of staffing and funding. ***The Governor is recommending an increase of \$3.4 million for the State Public Defender's Office and Indigent Defense. In the Purchasing Results process, these recommendations are included in the Improve Community Safety, Particularly Vulnerable Iowans Results Area.***

Issue Reviews

The LSA completed four **Issue Reviews** during the 2004 legislative interim dealing with:

- [Methamphetamine Laboratories](#)
- [Enhanced 911 System](#)
- [Medical Costs of the State Prison System](#)
- [Overview of the State Corrections System](#)

Copies of the **Issue Reviews** are available on the LSA web site: <http://staffweb.legis.state.ia.us/lfb/ireview/ireview.htm>.

Justice System Appropriations Subcommittee

Topic Presentations

The LSA maintains and updates **Topic Presentations** that are available on the LSA web site. Presentations relating to the Justice System Subcommittee include:

- [Justice System Appropriations Subcommittee](#)
- [Community-Based Corrections](#)
- [Crime Victim Assistance Division of the Department of Justice](#)
- [Iowa Law Enforcement Academy](#)
- [Iowa Prison System](#)
- [Legal Representation of Indigent Defendants](#)
- [Homeland Security and the Emergency Management Division](#)
- [Iowa Court System](#)
- [Methamphetamine Use in Iowa](#)

Copies of the **Topic Presentations** are available on the LSA web site: <http://staffweb.legis.state.ia.us/lfb/pptpres/pptpres.htm>

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